

SEP 06 2005

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HOUSTON ELISEEVA

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TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Total Number of Pages in This Submission: 7

Application Number: 10/823,173
Filing Date: April 13, 2004
First Named Inventor: Anthony Nikodym
Art Unit: 1725
Examiner Name: Elve, Maria Alexandra
Attorney Docket Number: 22176.0003.con

ENCLOSURES (Check all that apply)

☒ Fee Transmittal Form
☐ Fee Attached
☒ Amendment/Reply
☐ After Final
☐ Affidavits/Declaration(s)
☐ Extension of Time Request
☐ Express Abandonment Request
☐ Information Disclosure Statement
☐ Certified Copy of Priority Document(s)
☐ Reply to Missing Parts/Incomplete Application
☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

☐ Drawing(s)
☐ Licensing-related Papers
☐ Petition
☐ Petition to Convert to a Provisional Application
☐ Power of Attorney, Revocation
☐ Change of Correspondence Address
☐ Terminal Disclaimer
☐ Request for Refund
☐ CD, Number of CD(s)
☐ Landscape Table on CD

☐ After Allowance Communication to TC
☐ Appeal Communication to Board of Appeals and Interferences
☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
☐ Proprietary Information
☐ Status Letter
☐ Other Enclosure(s) (please identify below):

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name: Houston Eliseeva LLP
Signature: *Maria Eliseeva*
Printed name: Maria Eliseeva
Date: September 6, 2005
Reg. No.: 43,328

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature: *Inna Golovach*
Typed or printed name: Inna Golovach
Date: September 6, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL
For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 120

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 502233 Deposit Account Name: Houston Eliseeva LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below
☐ Charge any additional fee(s) or underpayments of fee(s)
☐ Charge fee(s) indicated below, except for the filing fee
☐ Credit any overpayments

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FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	Fee (\$)	Small Entity Fee (\$)	SEARCH FEES	EXAMINATION FEES	Fee Paid (\$)
Utility	300	150	300	200	
Design	200	100	100	130	
Plant	200	100	300	160	
Reissue	300	150	500	600	
Provisional	200	100	0	0	

2. EXCESS CLAIM FEES

Fee Description: Each claim over 20 (including Reissues)
Each independent claim over 3 (including Reissues)
Multiple dependent claims

Claim Type	Extra Claims	Fee (\$)	Fee Paid (\$)
HP = highest number of total claims paid for, if greater than 20			
Indep. Claims			
HP = highest number of independent claims paid for, if greater than 3			

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(e).

Sheet Count	Extra Sheets	Fee (\$)	Fee Paid (\$)
Total Sheets			
100			

4. OTHER FEES (\$)

Non-English Specification: \$130 fee (no small entity discount)
Other (e.g., late filing surcharge): One-month extension fee

120.00

SUBMITTED BY

Signature: *Maria Eliseeva*
Name (Print/Type): Maria Eliseeva
Registration No.: 43,328
Telephone: 761-663-9991
Date: September 6, 2005

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SEP 07 2005

Received 6 Pgs
out of 7 Pgs

**RECEIVED
CENTRAL FAX CENTER****SEP 0 6 2005****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re:	Anthony Nikodym	Confirmation No:	3730
Serial No:	10/823,173	Group:	1725
Filed:	April 13, 2004	Examiner:	Elve, Maria Alexandra
For:	Straight Polarity Metal Cored Wires		
Customer No.:	29127		

Attorney Docket No.	22176.0003.con
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AMENDMENT AND RESPONSE

VIA FACSIMILE: 571-273-8300
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the pending Office Action, mailed May 3, 2005 (Paper No. 20050429), please amend the above-captioned application as follows:

-amendments to the claims are reflected in the listing of claims in section a);

-comments to the objection to the drawings are set forth in section b); and

Finally, reconsideration is requested in view of the remarks set forth in section c).

One month extension of time is requested with this response.

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